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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Group Art Unit 3742

In re

Patent Application of

Kenneth A. Bradenbaugh

Application No. 10/808,686

Confirmation No.: 6069

Filed: March 25, 2004

Examiner: Thor S. Campbell

"WATER HEATER AND METHOD OF  
CONTROLLING THE SAME"

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Response in the above-identified application.

In the event Applicants have overlooked the need to request an extension of time, please consider this a request for the same.

Charge or credit Deposit Account No. 13-3080 with any shortage or overpayment of the fees associated with this communication.

Respectfully submitted,

Sheldon L. Wolfe  
Reg. No. 43,996

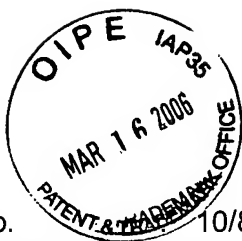
File No. 010121-9828-02

Michael Best & Friedrich LLP  
100 East Wisconsin Avenue  
Suite 3300  
Milwaukee, Wisconsin 53202-4108  
414.271.6560

I, Bridget Laack, hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date of my signature.

*Bridget Laack*  
Signature

*March 15, 2006*  
Date of Signature



Appl. No. : 10/808,686  
Confirmation No. : 6069  
Applicant : Kenneth A. Bradenbaugh

Filed : March 25, 2004  
Title : WATER HEATER AND  
METHOD OF CONTROLLING  
THE SAME

TC/A.U. : 3742  
Examiner : Thor S. Campbell

Docket No. : 010121-9828-02

Customer No. : 23409

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I, Bridget Laack, hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date of my signature.

Bridget Laack  
Signature  
March 15, 2006  
Date of Signature

## RESPONSE

Sir:

This communication responds to the action dated February 14, 2006.


The Office subjected the originally filed claims to a restriction and/or election requirement on March 10, 2005. Applicant elected Species A on April 8, 2005. According to the Office at the time, claims 1-17, 18-62, and 103-127 read on the elected species and claims 1-17 were generic.

The Office then subjected the originally filed claims to a second restriction and/or election requirement on July 14, 2005. In addition to the previous election/restriction, the Office stated there is no generic claim and Species A is subjected to an additional subspecies election. Applicant elected Subspecies I: Gas water heater and method of controlling same. Applicant asserted, from the claims of Species A, claims 1-62, 103, 105-115, and 117-127 read on the elected subspecies.

The Office now subjects the originally filed claims to a third restriction and/or election requirement. In clarifying the previous elections/restrictions, the Office presents a four-way restriction. In addition, Group II is subjected to a subspecies election. Applicant elects Group II,

Subspecies I. Applicant asserts, from the claims of Group II, claims 18-62, 103, 105-115, and 117-127 read on the elected subspecies.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Sheldon L. Wolfe', written in a cursive style.

Sheldon L. Wolfe  
Reg. No. 43,996

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